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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,260	06/27/2001	Srinivas Gutta	US010294	1858

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EXAMINER

NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/893,260	Applicant(s) GUTTA ET AL.	
	Examiner Quynh H Nguyen	Art Unit 2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

2. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacenda et al. (U.S. Patent 5,822,418) in view of Lu (U.S. Patent 5,031,228).

Regarding claims 1, 2, 8, and 9, Yacenda et al. teach a system comprising a control unit ("locator system") for locating and routing telephone calls for the individuals that includes the steps of positioning a plurality of transceivers in two or more regions of a local environment ("closed environment") each begin serviced by telephone extension (Fig. 1, telephones 12, 14, and 16). The central computer 20 is utilized to process the information received from the remote badges to determine the identity of the person associated with the respective badge or generate a mark associated with the respective badge (col. 4, lines 29-31). The transceivers receive transmissions from the badges and relay the information to the central processor that in turn directs incoming calls for each particular person to their detected location.

Yacenda et al. do not teach the use of images to identify known person from the processed image.

Lu teaches the system and method to provide image recognition for identifying directions within a monitored area corresponding to the possible locations of individual audience members. A video camera 28 is pointed to the audience members within the

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monitored area to capture the images, an identified portion of the processed video image is compared with the stored feature image signature corresponding to each predetermined individual member's face of a viewing audience to identify the audience member (col. 2, lines 9-12 and 47-60, col. 4, lines 23-38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features mentioned above, as taught by Lu, in Yacenda's system in order to have an alternative method of locating a person using cameras instead of using transceiver and remote badges. Furthermore, for each known person identified, Yacenda's system would obviously identify or generate a distinctive mark so that the PBX can connect the call to the extension associated with the identified person located at the specified telephone extensions.

Regarding claims 3-6, Yacenda et al. teach the control unit generate a signal when associating the known person with the respective location and output to the PBX, the PBX uses the signal to create a record ("personal information") that associates the known person with the telephone exchange servicing the respective region in which the known person is located and the PBX re-direct incoming calls for each particular person to their detected location (col. 4, lines 4-35).

Regarding claim 7, Yacenda et al. do not explicitly teach for each known person identified, that associates the known person with the respective region is incorporated in a record maintained in the control unit. It would have been obvious to one of ordinary skill in the art that in order to re-direct incoming calls for each person to their detected location, there is a need to maintain a record such that for each known person

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identified, associates the known person with the respective region is incorporated in that record.

Limitations a and b of claim 10 and claim 17 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Yacenda et al. teach identifying a desired recipient of the incoming call (col. 4, lines 24-29 and col. 5, lines 5-9); determining whether the desired recipient is one of the known persons identified in one of the regions (col. 4, lines 29-32); connecting the incoming call to an extension servicing the respective region in which the desired recipient is located (col. 4, lines 16-18).

Regarding claims 11 and 12, Lu teaches for one or more regions, directing at least one camera at least a portion of the region or positioning a camera to capture images (col. 5, lines 3-50).

Regarding claim 13, Lu teaches applying image recognition processing to the images (col. 4, lines 23-39).

Regarding claims 14-16, Lu teaches accessing a database of image data for the group of known persons (col. 2, lines 47-49); creating a record associating each known person identified from the captured images with the respective region in which the known person is located and searching the records relating to each known person and the respective region in which the known person is located (col. 2, lines 22-60).

Regarding claim 18, Yacenda teaches if no known persons are identified in any region, the control unit directs an incoming call to a region where any person is detected (Fig. 23A, 1838).

Regarding claim 19, Yacenda teaches if a known person is in a region wherein no phone is present, the control unit will direct an incoming call for that known person to an adjacent region where a phone is present (Fig. 24A, 1922).

Response to Arguments

3. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that Yacenda and Lu do not teach the control unit processing the images to identify one or more known persons, generating an indicium that associates the known person with the respective region in which the known person is located in response to the identified known person from the processed image. Examiner respectfully disagrees. Yacenda et al. teach a system comprising a control unit ("locator system") for locating and routing telephone calls for the individuals that include the steps of positioning a plurality of transceivers in two or more regions of a local environment ("closed environment") each begin serviced by telephone extension (Fig. 1, telephones 12, 14, and 16). The central computer 20 is utilized to process the information received from the remote badges to determine the identity of the person or generate a mark associated with the respective badge (col. 4, lines 29-31). The transceivers receive transmissions from the badges and relay the information to the central processor that in turn directs incoming calls for each particular person to their detected location. And Lu teaches the system and method to provide image recognition for identifying directions within a monitored area corresponding to the possible locations

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of individual audience members. A video camera 28 is pointed to the audience members within the monitored area to capture the images, an identified portion of the processed video image is compared with the stored feature image signature corresponding to each predetermined individual member's face of a viewing audience to identify the audience member (col. 2, lines 9-12 and 47-60, col. 4, lines 23-38). The combination of the two references teaches the claims invention.

Similarly, the combination of the two references teaches claims 9, 10, and 17.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-

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5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
November 10, 2004


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600